

MINUTES OF HOUSE RULES COMMITTEE - 48TH LEGISLATURE

January 20, 1983

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Room 343

Chairman Vincent called the third meeting of the Rules Committee to order at 11:12 a.m. All members were present. He passed out copies of proposed amendments by Representative Ramirez and proposed changes to those amendments (see copies following these minutes).

Each amendment was discussed separately. Ramirez wanted reference to Constitution in first amendment for positive clarification. Speaker Kemmis pointed out that reference to such is in amendment #6, which brings House and Senate together. He doesn't think intent of Constitution is to require House to provide balanced budget to Senate.

Discussion on amendment #2, changing transmittal of Senate revenue bills to House from 60th day to 35th day. Kemmis thinks it is reasonable to have House have same amount of time as Senate for Revenue Committee to consider revenue bills. Representative Marks feels 35 days is too few, 60 too many, suggested 55 days.

Representative Yardley said he thinks the House should have time to hear all Senate bills in Taxation.

After some discussion, Representative Marks moved the amendment with the change from 35th day to 50th day. Roll call vote was taken: Representatives Vincent, Kemmis, Addy, Harrington, Shontz and Yardley voting nay; and Representatives Fabrega, Fagg, Marks and Ramirez voting aye. Motion failed - 6 to 4.

Kemmis suggested change in language in proposed change to Ramirez' amendment #6, so would read: "Neither house may increase the total appropriation transmitted beyond the amount contained in the joint resolution unless it first amends the joint resolution and, in accordance with the rules governing transmittal of revenue bills, transmits to the other house a measure to increase revenues sufficient to meet the increased appropriation."

Representative Fagg moved the amendment to #6, with change proposed by Kemmis. Motion carried unanimously.

Ramirez moved to divide the question on the amendments to be acted upon separately. He then moved amendment #1, with exclusion of reference to Constitution. Motion carried unanimously.

Kemmis moved amendment #2, as modified. Motion carried: 6 to 4.

Marks moved amendment #3. Motion carried unanimously.

Marks moved amendment #4. Motion carried unanimously.

Fagg moved amendment #5. Motion carried unanimously.

Fabrega moved amendment #6, as modified. Motion carried unanimously.

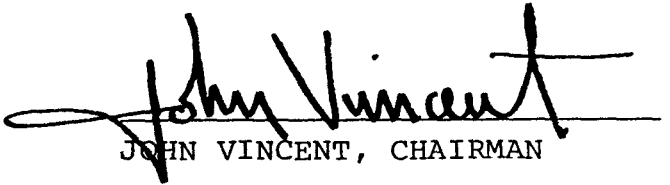
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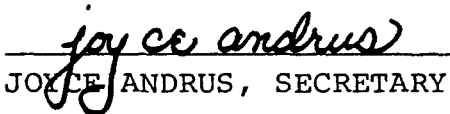
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Speaker Kemmis moved that SJR 1 be concurred in as amended. Motion carried unanimously.

Chairman Vincent adjourned the meeting at 12:25 p.m.

  
JOHN VINCENT, CHAIRMAN

  
JOYCE ANDRUS, SECRETARY

PROPOSED AMENDMENTS BY REPRESENTATIVE RAMIREZ

SENATE JOINT RESOLUTION NO. 1 be amended as follows:

1. Amend page 21, following line 1.  
Insert the following paragraph: "The House shall transmit a balanced budget to the Senate in accordance with Article VIII Section 9 of the Montana Constitution, taking into account all appropriation measures transmitted by the House and all anticipated revenue from existing laws and from any House or Senate revenue measures transmitted or passed by the House as of the 70th day."
2. Amend page 38, following line 10.  
Insert the following paragraph: "Revenue bills originating in the Senate shall be transmitted to the House on or before the 60th day unless two-thirds of the members present and voting in the House determine that the bill may be transmitted after the 60th day."
3. Amend page 38, line 11.  
Following: "bills"  
Insert: "originating in the House"
4. Amend page 38, line 12.  
Before: "on"  
Strike: "from the original house"  
Insert: "to the Senate"
5. Amend page 38, line 14.  
Before: "determine"  
Strike: "receiving house"  
Insert: "Senate"
6. Amend page 38, following line 15.  
Insert the following paragraph: "A joint resolution shall be introduced in the House and transmitted to the Senate on or before the 65th legislative day to establish, for each year of the succeeding biennium, the amount of the state's anticipated revenue for the purpose of meeting the balanced budget requirement of Article VIII, Section 9, of the Montana Constitution."

## SUMMARY OF CHANGES TO PROPOSED AMENDMENTS

### PROPOSED CHANGE TO AMENDMENT NO. 1:

"The House shall transmit a balanced budget to the Senate, taking into account all appropriation measures transmitted by the House and all anticipated revenue from existing laws and from any House or Senate revenue measures transmitted or passed by the House as of the 70th day."

### PROPOSED CHANGE TO AMENDMENT NO. 2:

"Revenue bills originating in the Senate shall be transmitted to the House on or before the 35th day, unless two-thirds of the members present and voting in the House determine that the bill may be transmitted after the 35th day."

### PROPOSED CHANGE TO AMENDMENT NO. 6:

#### ADD:

"The Senate may not increase the total appropriation transmitted to it beyond the amount contained in the joint resolution unless it first amends the joint resolution and, in accordance with the rules governing transmittal of revenue bills, transmits to the House a measure to increase revenues sufficient to meet the increased appropriation."

PROPOSED AMENDMENTS TO SENATE JOINT RESOLUTION 1:

- (1) Page 21, line 1, following ".", insert new paragraph:

"The House shall transmit a balanced budget to the Senate, in accordance with Article VIII, Section 9, of the Montana Constitution, taking into account all appropriation measures transmitted by the House and all anticipated revenue from existing laws and from any House or Senate revenue measures transmitted or passed by the House as of the 70th day."

SUGGESTED CHANGE TO ABOVE:

Strike: "in accordance with Article VIII, Section 9, of the Montana Consitution,"

- (2) Page 38, line 10, following ".", insert new paragraph:

"Revenue bills originating in the Senate shall be transmitted to the House on or before the 60th day unless two-thirds of the members present and voting in the House determine that the bill may be transmitted after the 60th day."

SUGGESTED CHANGE TO ABOVE:

In lines 2 and 4,  
Strike: "60"  
Insert: "35"

- (3) Page 38, line 11  
Following: "bills"  
Insert: "originating in the House"

- (4) Page 38, line 12  
Strike: "from the original house"  
Insert: "to the Senate"

- (5) Page 38, line 14  
Strike: "receiving house"  
Insert: "Senate"

PROPOSED AMENDMENTS TO SENATE JOINT RESOLUTION 1 CONTINUED:

(6) Page 38, line 15, following ".", insert new paragraph:

"A joint resolution shall be introduced in the House and transmitted to the Senate on or before the 65th legislative day to establish, for each year of the succeeding biennium, the amount of the state's anticipated revenue for the purpose of meeting the balanced budget requirement of Article VIII, Section 9, of the Montana Constitution."

SUGGESTED ADDITION TO ABOVE (following "Constitution".)

"The Senate may not increase the total appropriation transmitted to it beyond the amount contained in the joint resolution unless it first amends the joint resolution and, in accordance with the rules governing transmittal of revenue bills, transmits to the House a measure to increase revenues sufficient to meet the increased appropriation."

RULES COMMITTEE

HOUSE OF REPRESENTATIVES

48TH LEGISLATURE

MOTIONS

DATE: 1/20/83

MOTION: Marks moved to amend JR 6-34 as proposed, with change from 35th day to 50th day for the Senate to transmit to the House revenue bills originating in the Senate."

	YES	NO	
VINCENT, Chairman		✓	
KEMMIS, Vice-Chairman		✓	
ADDY		✓	
FABREGA	✓		
FAGG	✓		
HARRINGTON		✓	
MARKS	✓		
RAMIREZ	✓		
SHONTZ		✓	
YARDLEY		✓	
TOTAL	4	6	

Motion Carried \_\_\_\_\_

Motion Failed X

RULES COMMITTEE # 3

HOUSE OF REPRESENTATIVES

48TH LEGISLATURE

ATTENDANCE

DATE: 1/20/83

	PRESENT	ABSENT	OTHER
VINCENT, Chairman	✓		
KEMMIS, Vice-Chairman	✓		
ADDY	✓		
FABREGA	✓		
FAGG	✓		
HARRINGTON	✓		
MARKS	✓		
RAMIREZ	✓		
SHONTZ	✓		
YARDLEY	✓		



# STANDING COMMITTEE REPORT

January 20

1983

MR. Speaker

We, your committee on Rules

having had under consideration Senate Joint Resolution

XX Bill No. 1

third reading copy ( blue )  
color

**A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF MONTANA TO ADOPT JOINT RULES TO GOVERN THEIR  
PROCEEDINGS.**

Respectfully report as follows: That Senate Joint Resolution

XX Bill No. 1

**BE AMENDED TO READ:**

(1) Page 17, line 16

Following: "House"

Insert: "to make recommendations concerning the  
districting and apportionment plan as provided  
by Article V, Section 14, subsection (3), of  
the Montana Constitution,"

(2) Page 21, following line 1

Insert: "The House shall transmit a balanced budget  
to the Senate, taking into account all appropriation  
measures transmitted by the House and all anticipated  
revenue from existing laws and from any House or  
Senate revenue measures transmitted or passed by  
the House as of the 70th day."

~~XXXXX~~  
DO PASS

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- (3) Page 23, lines 18 through 23; and page 24, line 1  
Strike: subsection (6) in its entirety
- (4) Page 34, line 14  
Following: "third"  
Strike: ", which shall be by complete title,"
- (5) Page 38, following line 10  
Insert: "Revenue bills originating in the Senate shall be transmitted to the House on or before the 35th day, unless two-thirds of the members present and voting in the House determine that the bill may be transmitted after the 35th day."
- (6) Page 38, line 11  
Following: "bills"  
Insert: "originating in the House"
- (7) Page 38, line 12  
Strike: "from the original house"  
Insert: "to the Senate"
- (8) Page 38, line 14  
Strike: "receiving house"  
Insert: "Senate"
- (9) Page 38, following line 15  
Insert: "A joint resolution shall be introduced in the House and transmitted to the Senate on or before the 65th legislative day to establish, for each year of the succeeding biennium, the amount of the state's anticipated revenue for the purpose of meeting the balanced budget requirement of Article VIII, Section 9, of the Montana Constitution."

Neither house may increase the total appropriation transmitted beyond the amount contained in the joint resolution unless it first amends the joint resolution and, in accordance with the rules governing transmittal of revenue bills, transmits to the other house a measure to increase revenues sufficient to meet the increased appropriation."

- (10) Page 41, line 5  
Following: "7-2."  
Insert: "Upon request of any member of the house in which a bill is pending,"
- Strike: "A"  
Insert: "a"

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- (11) Page 41, line 6  
Following: "on"  
Strike: "all bills"  
Insert: "any bill"  
  
Following: "or"  
Strike: "matters"  
Insert: "matter"
- (12) Page 41, line 7  
Following: "after"  
Strike: "reference"  
Insert: "the request,"

AND AS AMENDED  
~~XXXXXX~~  
BE CONCURRED IN